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GP2731

PTO/SB/21 (12-97)
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valid OMB control number.	<u> </u>		<u> </u>			
TRANSMITTAL FORM			Application Number	09/053,237		1
			Filing Date	April 1, 1998		
			First Named Inventor	Earl Cohen	RECEI	
(to be used for all correspondence after initial filing)		Group Art Unit	2731			
·			Examiner Name	Not Assigned	MAY 1 1	1999
Total Number of Pages in This Submis	sion	116	Attorney Docket Number	CIS-032B	Group 3	סחל
	,	ENCLOS	SURES (check all that app	ly)		
Fee Attached	Assignment Papers (for an Application)			After Allowance of to Group  Appeal Commun		

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ENCLOSURES (check all that apply)						
Fee Transn	nittal Form	Assignment Papers (for an Application)		After Allowance Communication to Group		
Fee	Attached	Drawing(s)		Appeal Communication to Board of Appeals and Interferences		
Amendmer	nt / Response	Licensing-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
Afte	er Final	Petition Routing Slip (PTO/SB/69) and Accompanying Petition		Proprietary Information		
Affic	davits/declaration(s)	To Convert a Provisional Application		Status Letter		
Extension o	of Time Request	Power of Attorney, Revocation Change of Correspondence Address	X	Additional Enclosure(s) (please identify below):		
Express Ab	andonment Request	Terminal Disclaimer		PTO Form 1449		
	,	Small Entity Statement		Return Postcard		
X Information	Disclosure Statement	Request for Refund				
Certified Control Document(	opy of Priority (s)	Remarks	I			
	o Missing Parts/ Application					
Part Part	ponse to Missing is under 37 CFR 2 or 1.53		,			
	SIGNATU	IRE OF APPLICANT, ATTORNEY, OR	AGE	NT		
Firm or Individual name	Steven A. Swernofsky			Reg. No. 33,040		
Signature	545 July	mafety				
Date 4-26-99						
CERTIFICATE OF MAILING						

CERTIFICATE OF MAILING							
I hereby certify that this envelope addressed to:	correspondence is being deposited with the United S Assistant Commissioner for Patents, Washington, D.	tates Post C. 20231 d	al Service as <u>first class mail in an</u> on this date: May 7, 1999	<u> </u>			
Typed or printed name	Arlette Malhas						
Signature	Bilete Malla	Date	May 7, 1999	_			





# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Earl Cohen

Serial No.

09/053,237

Filed:

April 1, 1998

For: Route/Service Processor Scalability Via

Flow-Based Distribution of Traffic

Art Unit:

2731

RECEIVED

Examiner:

Unassigned

MAY 1 1 1999

Group 2700

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

> Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

# INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

It is requested that the document(s) on the enclosed form be made of record.

# Part I (Authority)

This statement is filed pursuant to:

(X) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

() 37 C.F.R. § 1.97(c).

CIS-032B

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$240), or a certification according to 37 C.F.R. § 1.97(e).

() 37 C.F.R. § 1.97(d). This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$130), a certification according to 37 C.F.R. § 1.97(e), and a petition requesting consideration of the information disclosure statement.

#### **Conditional Petition**

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

### Part II (Payment)

Please charge any additional required fee or credit any overpayment to our Deposit Account No. 500365. An additional copy of this information disclosure statement is enclosed.

A check is enclosed as indicated:

- (X) No fee is due.
- () The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$240).
- () The petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$130).

# Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

(X) No certification is necessary.

- () (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
  - () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
  - () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- () (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

# Part IV (Additional Statement)

An additional statement regarding these items of information ( ) is, (X) is not, enclosed.

Copies of the cited art (X) are enclosed, () are of record in parent application Serial No. \_\_\_\_\_ and will be provided if the Examiner deems it convenient.

Respectfully submitted,

Dated:

4-26-99

Steven A. Swernofsky Reg. No. 33,040

The Law Offices of Steven A. Swernofsky P.O. Box 390013 Mountain View, CA 94039-0013 (650) 947-0700 CIS-032B

Art Cited

United States Patent Numbers:

5,477,541

5,835,710

Foreign Patent Documents:

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